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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,185	11/20/2003	Katsumi Okamoto	Q78558	5971

23373 7590 05/24/2006

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EXAMINER

GLEITZ, RYAN M

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/717,185

Applicant(s)

OKAMOTO, KATSUMI

Examiner

Ryan Gleitz

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) 17-22 and 27-75 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 16 and 23-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The objection to the drawings made in the Office Action mailed 18 January 2006 is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Noda et al. (US 5,510,878).

Noda et al. disclose a developer carrier (12d) for carrying a developer, for example figures 29 and 44, the developer carrier including an opposing region that opposes a latent image-carryable region on an image carrier (9). Sleeve gear (12k) also includes a flange portion, col. 20, line 61, which reads on a solid portion fitted into an end portion of a hollow roller in the longitudinal direction in a longitudinal direction thereof; wherein an end of the solid portion, which is on a side of a center of the developer carrier (12d) in the longitudinal direction, is located closer to the center of the developer carrier (12d) than an edge of the opposing region.

Regarding claims 3 and 11, the developer carrier is formed of metal as shown by the cross-hatching in figure 29, which means is must be manufactured by conducting at least one of cutting and polishing.

Regarding claims 7, 8 and 10, an abutment member, developing blade (12e), abuts against the developer carrier (12d) along the longitudinal direction of the developer carrier, wherein the developer carrier (12d) is supported at both ends in the longitudinal direction thereof so that the developer carrier (12d) is abutted with the abutment member (12e) along the longitudinal direction of the developer carrier (12d), and figure 28 shows that the abutment member (12e) presses the developer carrier (12d) towards the image carrier (9). The abutment member also regulates the thickness of the developer. See col. 6, lines 4-5.

Regarding claim 9, alternatively, elastic roller (12g) also read on an abutment member, and is a developer supply member for supplying the developer to the developer carrier (12d).

Regarding claim 12, figure 29 also shows that the developer carrier (12d) and the image carrier (9) are not in contact with each other.

Regarding claim 15, the developing device is located in an image forming device, and the image forming device may be a laser printer. See col. 1, line 19. Laser printers must be connected to a computer in order to print. All computers read on a computer mainframe and must contain a display device.

Allowable Subject Matter

Claims 16 and 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 18 April 2006 ("Response") have been fully considered but they are not persuasive.

Art Unit: 2852

With respect to claims 1, 4, and 13-15, Applicant submits that the sleeve gear 12k of Noda et al. cannot read on a solid portion because it is "located outside of the toner layer forming area, therefore, an end of the sleeve gear can't be closer to the longitudinal center than an end of toner layer forming area." Response, p. 5. However, this limitation is not found in the claim at least in that a toner layer forming area is not recited.

Even if the limitation was recited in the claim, Noda would still read on the claim. Specifically, figure 44 shows that sleeve gear 12k extends to a toner layer forming area.

With respect to claims 16 and 23-26, Applicant's arguments are persuasive, and accordingly the previous rejection is withdrawn.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

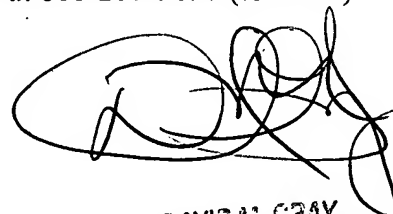
Art Unit: 2852

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rg



DAVID M. GRAY
PRIMARY EXAMINER